

ANNEXATION ORDINANCE annexing certain territory commonly known as the Hack/Stewart Area to the City of Fort Wayne, Indiana, and including same in the Councilmanic District No. 3.

WHEREAS, at least fifty-one percent (51%) of the owners of the herein described territory have petitioned for voluntary annexation of said territory; and,

WHEREAS, said territory is adjacent to the corporate limits; and,

WHEREAS, the City of Fort Wayne is desirous of annexing said territory, therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

A parcel of land located in the Northwest One-Quarter of Section 28, Township 31 North, Range 12 East, Allen County, Indiana and more particularly described as follows, to wit: COMMENCING at the Northeast corner of the Northwest One-Quarter of Section 28, Township 31 North, Range 12 East; thence south along the East line of said Northwest One-Quarter a distance of 29.94 feet to the point of BEGINNING. BEGINNING at the above described point; thence South along the East line of said Northwest One-Quarter a distance of 431.19 feet to an iron pin; thence Westerly by a deflection right of 89-degrees 50-minutes a distance of 392.88 feet to an iron pin; thence Northerly by a deflection right of 91-degrees 43-minutes 56-seconds a distance of 302.89 feet to an iron pin; thence continuing Northerly by a deflection right of 14-degrees 12-minutes 20-seconds a distance of 126.75 feet to an iron pin on the existing South right-of-way line of California Road; thence Easterly by a deflection right of 72-degrees 59-minutes 21-seconds along said South right-of-way line a distance of 350.00 feet to the East line of said Northwest One-Quarter and the point of BEGINNING. EXCEPTING therefrom the following described parcel of land as recorded in the Office of the Recorder, Allen County, Indiana as Document Number 73-4226: A part of the Northeast Quarter of the Northwest Quarter of Section 28, Township 31 North, Range 12 East, Allen County, Indiana, described as follows: Beginning at the Intersection of the East line of said Quarter-Quarter section and the south boundary of California

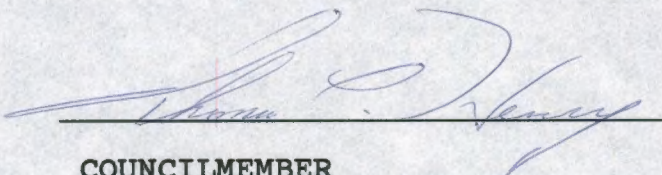
1 Road 29.94 feet Southerly of the Northeast corner of
2 said Quarter-Quarter section; thence Southerly 7.03
3 feet along said East line; thence North 83-degrees
4 57-minutes 32-seconds West 55.67 feet to said South
5 boundary; thence Easterly 55.14 feet along said
South boundary to the point of Beginning and containing
0.004 acres, more or less. The herein described parcel
contains 3.75 acres of land, more or less, and is
subject to any easements of record.

6 SECTION 2. That the City of Fort Wayne will furnish
7 the above described territory within a period of one (1) year
8 from the effective date of annexation, planned services of a
9 non-capital nature, including police protection, fire protec-
10 tion, and street and road maintenance, in a manner which is
11 equivalent in standard and scope to those non-capital services
12 provided to areas within the City of Fort Wayne which have
13 similar topography, patterns of land utilization and population
14 density to the said described territory. The City of Fort
15 Wayne will also provide services of a capital improvement
16 nature, including street construction, street lighting, sewer
17 facilities, water facilities and stormwater drainage facilities
18 to the annexed territory within three (3) years of the effec-
19 tive date of annexation, in the same manner as such services
20 are provided to areas already in the City of Fort Wayne with
21 similar topography, patterns of land utilization and population
22 density, and in a manner consistent with federal, state, and
23 local laws, procedures, and planning criteria.

24 SECTION 3. That governmental and proprietary services
25 will be provided to the above described territory in a manner
26 consistent with the written Fiscal Plan for the territory
27 developed by the Division of Community Development and Plan-
28 ning. Said Plan was examined by the Common Council of the City
29 of Fort Wayne and is approved and adopted by the Common Council
30 by and upon the passage of this Ordinance.
31
32

SECTION 4. That said described territory shall be a part of Councilmanic District No. 3 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended.

SECTION 5. That after its passage, approval by the Mayor, and due legal publication, this Ordinance shall be in full force and effect sixty (60) days after the date of last publication.


COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY


BRUCE O. BOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by Henry, seconded by Redd, and duly adopted, read the second time by title and referred to the Committee Annexation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.

DATE: 7-9-85

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by Redd, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	_____	_____	<u>1</u>	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GIAQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	_____	_____	_____	<u>✓</u>	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 7-23-85

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)

(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. X-07-85

on the 23rd day of July, 1985,

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Mark E. GiaQuinta
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of July, 1985, at the hour of 11:30 o'clock P.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 24th day of July, 1985, at the hour of 4:00 o'clock P.M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

Admn. Appr. _____

DIGEST SHEET

X 85-07-12)

TITLE OF ORDINANCE Voluntary Annexation of Hack/StewartDEPARTMENT REQUESTING ORDINANCE Community Development & PlanningSYNOPSIS OF ORDINANCE Ordinance annexes territory proposed for
future development.EFFECT OF PASSAGE Territory becomes part of the City. Other
effects to be described by fiscal plan to be prepared by CD&P.EFFECT OF NON-PASSAGE Territory does not become a part of the City.

MONEY INVOLVED (Direct Cost, Expenditures, Savings) _____

To be described by Fiscal Plan to be prepared by Community Devel-
opment and Planning.

ASSIGNED TO COMMITTEE (J.N.) _____

HACK/STEWART ANNEXATION

A. Location

The proposed annexation is located northwest of the City of Fort Wayne and is bounded on the north by Coliseum Boulevard, on the east by the present City limits and on the south and west by certain property lines. The area is within a larger area called Elk Grove that is currently being annexed (see attached map).

B. Size

The Hack/Stewart Annexation encompasses approximately 3.75 acres.

C. Population

There are no residential structures within the annexation area.

D. Buildings

Commercial / (structures in good condition)

E. Land Use

100% commercial

F. Zoning

Present County Zoning

I-1 Light Industrial

City Zoning Equivalent

M-1 Light Industrial

G. Assessment

\$42,800

H. Tax Rate

Existing: 6.0636

After Annexation: 9.7104

Increase: 3.6468

I. Tax Revenue

Increase: \$1597 per year

J. State Law Requirements

When pursuing an annexation, the municipality must be sure that the proposed annexation is in accordance with the state law. The existing statute (IC 36-4-3) provides cities with two options for annexing areas. The two options are:

1. The area must be at least one-eighth contiguous (12.5 percent) to the municipality and it must meet at least one of the following three conditions: (a) have a population density of at least three persons per acre; (b) be zoned for commercial, business, or industrial uses; (c) be at least sixty percent subdivided; or
2. The area must be at least one-fourth contiguous (25 percent) to the municipality and it must be needed and be used by the municipality for its development in the reasonably near future.

The Hack/Stewart annexation meets both tests in that it is 49% contiguous to the City, is zoned for industrial use, and will be developed in the reasonably near future.

K. Utilities

Water and sewer lines are available in the annexation area.

L. Council District

The annexation will be in City Council District 3.



The City of Fort Wayne

July 26, 1985

Ms. Trudy Sterling
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Sterling:

Please give the attached full coverage on the dates of
July 30 and August 6, 1985, in both the News Sentinel
and the Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. X-85-07-11
Annexation Ord. No. X-06-85

Bill No. X-85-07-12
Annexation Ord. No. X-07-85

Please send us 4 copies of the Publisher's Affidavit from
both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 2

LEGAL NOTICE

Notice is hereby given that on the 23rd day of
July, 19 85, the Common Council of the City
of Fort Wayne, Indiana, in a Regular Session did pass
the following Bill No. X-85-07-12 Annexation
Ordinance No. X-07-85 to-wit:

BILL NO. X-85- 07-12

ANNEXATION ORDINANCE NO. X- 07-85

ANNEXATION ORDINANCE annexing certain territory
commonly known as the Hack/Stewart Area to the City of
Fort Wayne, Indiana, and including same in the Council-
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of the herein described territory have petitioned for voluntary
annexation of said territory; and,

WHEREAS, said territory is adjacent to the corporate
limits; and,

WHEREAS, the City of Fort Wayne is desirous of annexing
said territory, therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be
and the same is hereby annexed to, and made a part of, the
corporation of the City of Fort Wayne, Indiana, to-wit:

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of Section 28, Township 31 North, Range 12 East, Allen
County, Indiana and more particularly described as
follows, to wit: COMMENCING at the Northeast corner of
the Northwest One-Quarter of Section 28, Township 31
North, Range 12 East; thence south along the East line
of said Northwest One-Quarter a distance of 29.94 feet
to the point of BEGINNING. BEGINNING at the above
described point; thence South along the East line of
said Northwest One-Quarter a distance of 431.19 feet to
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89-degrees 50-minutes a distance of 392.88 feet to
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91-degrees 43-minutes 56-seconds a distance of 302.89
feet to an iron pin; thence continuing Northerly by a
deflection right of 14-degrees 12-minutes 20-seconds a
distance of 126.75 feet to an iron pin on the existing
South right-of-way line of California Road; thence
Easterly by a deflection right of 72-degrees 59-minutes
21-seconds along said South right-of-way line a
distance of 350.00 feet to the East line of said
Northwest One-Quarter and the point of BEGINNING.
EXCEPTING therefrom the following described parcel of
land as recorded in the Office of the Recorder, Allen
County, Indiana as Document Number 73-4226: A part of
the Northeast Quarter of the Northwest Quarter of
Section 28, Township 31 North, Range 12 East, Allen
County, Indiana, described as follows: Beginning
at the Intersection of the East line of said Quarter-Q-

Fort Wayne Common Council
(Governmental Unit)
Allen
County, IN

To JOURNAL-GAZETTE Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LEGAL NOTICE

Notice is hereby given that on the 23rd day of July, 1985, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-85-07-12 Annexation Ordinance No. X-07-85 to-wit:

BILL NO. X-85-07-12
ANNEXATION ORDINANCE NO. X-07-85
ANNEXATION ORDINANCE annexing certain territory commonly known as the Hack/Stewart Area to the City of Fort Wayne, Indiana, and including same in the Councilmanic District No. 3.
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WHEREAS, said territory is adjacent to the corporate limits; and,
WHEREAS, the City of Fort Wayne is desirous of annexing said territory, therefore,
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:
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SECTION 2. That the City of Fort Wayne will furnish the above-described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state, and local laws, procedures, and planning criteria.
SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community Development and Planning. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance.
SECTION 4. That said described territory shall be a part of Councilmanic District No. 3 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended.
SECTION 5. That after its passage, approval by the Mayor, and due legal publication, this Ordinance shall be in full force and effect sixty (60) days after the date of last publication.

Thomas C. Henry
COUNCILMEMBER
Read the third time in full and on motion by Bradbury, seconded by Redd, and duly adopted, placed on its passage. PASSED by the following vote:
AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry, Redd, Schmidt, Talarico
NAYS: None
ABSENT: One
Stiler
DATE: 7-23-85
Sandra E. Kennedy
City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-07-85, on the 23rd day of July, 1985.
ATTEST: Sandra E. Kennedy, City Clerk
Mark E. GiaQuinta, Presiding Officer
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of July, 1985, at the hour of 11:30 o'clock A.M., E.S.T.
Sandra E. Kennedy
City Clerk
Approved and signed by me this 24th day of July, 1985, at the hour of 4:00 o'clock P.M., E.S.T.
Win Moses, Jr.
Mayor
I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-07-85, passed by the Common Council on the 23rd day of July, 1985, and that said Ordinance was duly signed and approved by the Mayor on the 24th day of July, 1985, and now remains on file and on record in my office.
WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 24th day of July, 1985.
SANDRA E. KENNEDY, CITY CLERK

not exceed two actual lines, neither of which shall total more than four solid lines
which the body of the advertisement is set) - number of equivalent lines

1
141
1
143

1 143
columns wide equals equivalent lines at .450¢ \$ 64.35

notices containing rule or tabular work (50 per cent of above amount)

of publication (50 cents for each proof in excess of two) 2 extra 1.00

UNT OF CLAIM \$ 65.35

2.5 picas Size of type 6 point
2 Size of quad upon which type is cast 6

h. 89., Acts 1967.

s just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

Drusilla Roose
Title CLERK

PUBLISHER'S AFFIDAVIT
State of Indiana
ALLEN County SS:
Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that he/she is CLERK of the JOURNAL-GAZETTE
a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA
in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:
7/30 - 8/6/85
Subscribed and sworn to me before this 6th day of August 19 85
Anne M. Perkins Notary Public
My commission expires November 29, 1985

7/30—8/6

Fort Wayne Common Council

(Governmental Unit)

Allen

County, IN

To

JOURNAL-GAZETTE

Dr.

P.O. BOX 100

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines		
Head	number of lines	1
Body	number of lines	141
Tail	number of lines	1
Total number of lines in notice		143

COMPUTATION OF CHARGES

143	lines,	1	columns wide equals	143	equivalent lines at	.450¢	\$	64.35
		cents per line						
Additional charge for notices containing rule or tabular work (50 per cent of above amount)								
Charge for extra proofs of publication (50 cents for each proof in excess of two)					2 extra			1.00
TOTAL AMOUNT OF CLAIM								\$ 65.35

DATA FOR COMPUTING COST

Width of single column 12.5 picas	Size of type	6	point
Number of insertions	Size of quad upon which type is cast	6	

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Drusilla Roose

DateAug. 61985

TitleCLERK

FORM #904

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that he/she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city FORT WAYNE, INDIANA of town in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times the dates of publication being as follows: 7/30 - 8/6/85

Subscribed and sworn to me before this 6th (day of August) 19 85
Anne M. Perkins Notary Public

My commission expires November 29, 1985

LEGAL NOTICE

Notice is hereby given that on the 23rd day of July, 1985, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-85-07-12 Annexation Ordinance No. X-07-85 to-wit:

BILL NO. X-85-07-12
ANNEXATION ORDINANCE NO. X-07-85

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WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 24th day of July, 1985.

SANDRA E. KENNEDY, CITY CLERK

7/30-8/6

Fort Wayne Common Council
(Governmental Unit)
Allen
County, IN

To NEW-SENTINEL Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community Development and Planning. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance.

SECTION 4. That said described territory shall be a part of Councilmanic District No. 3 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal code of the City of Fort Wayne, Indiana of 1974, as amended.

SECTION 5. That after its passage, approval by the Mayor, and due legal publication, this Ordinance shall be in full force and effect sixty (60) days after the date of last publication.

Thomas C. Henry
COUNCILMEMBER

Read the third time in full and on motion by Bradbury, seconded by Redd, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry, Redd, Schmidt, Talarico
NAYS: None
ABSENT: One
Stier
DATE: 7-23-85

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-07-85, on the 23rd day of July, 1985.

ATTEST: Sandra E. Kennedy, City Clerk
Mark E. GiaQuinta, Presiding Officer
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of July, 1985, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 24th day of July, 1985, at the hour of 4:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-07-85, passed by the Common Council on the 23rd day of July, 1985, and that said Ordinance was duly signed and approved by the Mayor on the 24th day of July, 1985, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 24th day of July, 1985.

SANDRA E. KENNEDY, CITY CLERK

Exceed two actual lines, neither of which shall total more than four solid lines in the body of the advertisement is set) - number of equivalent lines

1
141
1
143

f lines in notice

1 143 .450¢ \$ 64.35

es containing rule or tabular work (50 per cent of above amount)

publication (50 cents for each proof in excess of two) 2 extra 1.00

NT OF CLAIM

\$ 65.35

Size of type 6 point

Size of quad upon which type is cast 6

89., Acts 1967.

ust and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

Drusilla Roose

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the

undersigned Drusilla Roose who, being duly sworn, says

that he/she is CLERK of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being

as follows:

7/30 - 8/6/85

Subscribed and sworn to me before this 6th day of August 1985

Anne M. Perkins Notary Public

My commission expires November 29, 1985

Fort Wayne Common Council
(Governmental Unit)
Allen
County, IN

To NEW-SENTINEL Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines		
Head	number of lines		1
Body	number of lines		141
Tail	number of lines		1
Total number of lines in notice			143

COMPUTATION OF CHARGES

143 lines, 1 columns wide equals 143 equivalent lines at .450¢	\$ 64.35
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two) 2 extra	1.00
TOTAL AMOUNT OF CLAIM	\$ 65.35

DATA FOR COMPUTING COST

Width of single column 12.5 picas	Size of type 6 point
Number of insertions 2	Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Drusilla Roose

Date Aug. 6, 1985

Title CLERK

FORM #903

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that he/she is CLERK of the NEWS-SENTINEL DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times as follows:

7/30 - 8/6/85

Subscribed and sworn to me before this 6th day of August 1985
Anne M. Perkins Notary Public
My commission expires November 29, 1985

LEGAL NOTICE

Notice is hereby given that on the 23rd day of July, 1985, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-85-07-12 Annexation Ordinance No. X-07-85 to-wit:

BILL NO. X-85-07-12
ANNEXATION ORDINANCE NO. X-07-85
ANNEXATION ORDINANCE annexing certain territory commonly known as the Hack/Stewart Area to the City of Fort Wayne, Indiana, and including same in the Councilmanic District No. 3.

WHEREAS, at least fifty-one percent (51%) of the owners of the herein described territory have petitioned for voluntary annexation of said territory; and,

WHEREAS, said territory is adjacent to the corporate limits; and,

WHEREAS, the City of Fort Wayne is desirous of annexing said territory, therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

A parcel of land located in the Northwest One-Quarter of Section 28, Township 31 North, Range 12 East, Allen County, Indiana and more particularly described as follows, to-wit: COMMENCING at the Northeast corner of the Northwest One-Quarter of Section 28, Township 31 North, Range 12 East; thence south along the East line of said Northwest One-Quarter a distance of 29.94 feet to the point of BEGINNING, BEGINNING at the above described point; thence South along the East line of said Northwest One-Quarter a distance of 431.19 feet to an iron pin; thence Westerly by a deflection right of 9-degrees 50-minutes a distance of 392.88 feet to an on pin; thence Northerly by a deflection right of 12-degrees 43-minutes 56-seconds a distance of 12.89 feet to an iron pin; thence continuing Northerly a deflection right of 14-degrees 12-minutes 1-seconds a distance of 126.75 feet to an iron pin on an existing South right-of-way line of California Road; thence Easterly by a deflection right of 72-degrees 24-minutes 24-seconds a distance of 72.24 feet to the 24th day of July, 1985, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 24th day of July, 1985.

SANDRA E. KENNEDY, CITY CLERK

Fort Wayne Common Council
(Governmental Unit)
Allen
County, IN

To NEW-SENTINEL Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

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COMPUTATION OF CHARGES

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Additional charge for notices containing rule or tabular work (50 per cent of above amount)
Charge for extra proofs of publication (50 cents for each proof in excess of two) 2 extra	1.00
TOTAL AMOUNT OF CLAIM	\$ 65.35

DATA FOR COMPUTING COST

Width of single column 12.5 picas	Size of type 6 point
Number of insertions 2	Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Drusilla Ross

Date Aug. 6, 19 85

Title CLERK

FORM #903

ATTACH COPY OF
ADVERTISEMENT HERE

Notice is hereby given that on the 23rd day of July, 1985, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-85-07-12 Annexation Ordinance No. X-07-85 to-wit:

BILL NO. X-85-07-12
ANNEXATION ORDINANCE NO. X-07-85
ANNEXATION ORDINANCE annexing certain territory commonly known as the Hack/Stewart Area to the City of Fort Wayne, Indiana, and including same in the Councilmanic District No. 3.

WHEREAS, at least fifty-one percent (51%) of the owners of the herein described territory have petitioned for voluntary annexation of said territory; and

WHEREAS, said territory is adjacent to the corporate limits; and

WHEREAS, the City of Fort Wayne is desirous of annexing said territory, therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

A parcel of land located in the Northwest

One-Quarter of Section 28, Township 31 North, Range 12 East, Allen County, Indiana and more particularly described as follows, to-wit: COMMENCING at the Northeast corner of the Northwest One-Quarter of Section 28, Township 31 North, Range 12 East; thence south along the East line of said Northwest One-Quarter a distance of 29.94 feet to the point of BEGINNING. BEGINNING at the above described point; thence South along the East line of said Northwest One-Quarter a distance of 431.19 feet to an iron pin; thence West by a deflection right of 89-degrees 50-minutes a distance of 392.88 feet to an iron pin; thence North by a deflection right of 302.89 feet to an iron pin; thence continuing Northerly by a deflection right of 14-degrees 12-minutes 20-seconds a distance of 126.75 feet to an iron pin on the existing South right-of-way line of California Road; thence Easterly by a deflection right of 72-degrees 59-minutes 21-seconds along said South right-of-way line a distance of 350.00 feet to the East line of said Northwest One-Quarter and the point of BEGINNING. EXCEPTING therefrom the following described parcel of land as recorded in the Office of the Recorder, Allen County, Indiana as Document Number 73-4226: A part of the Northeast Quarter of the Northwest Quarter of Section 28, Township 31 North, Range 12 East, Allen County, Indiana, described as follows: Beginning at the intersection of the East line of said Quarter-Quarter section and the south boundary of California Road 29.24 feet Southerly of the Northeast corner of said Quarter-Quarter section; thence Southerly 7.03 feet along said East line; thence North 83-degrees 57-minutes 32-seconds West 55.67 feet to said South boundary; thence Easterly 55.14 feet along said South boundary to the point of Beginning and containing 0.004 acres, more or less. The herein described parcel contains 3.75 acres of land, more or less, and is subject to any easements of record.

SECTION 2. That the City of Fort Wayne will furnish the above-described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state, and local laws, procedures, and

planning criteria.

SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community Development and Planning. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance.

SECTION 4. That said described territory shall be a part of Councilmanic District No. 3 of the City of Fort Wayne, Indiana, as described in Division 1, Section 2-9 of Chapter 2 of the Municipal code of the City of Fort Wayne, Indiana of 1974, as amended.

SECTION 5. That after its passage, approval by the Mayor, and due legal publication, this Ordinance shall be in full force and effect sixty (60) days after the date of last publication.

Read the third time in full and on motion by Bradbury, seconded by Redd, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Bradbury, Burns, Eisbart, GiaQuinta, Henry, Redd, Schmidt, Talarico
NAYS: None
ABSENT: One
Stier
DATE: 7-23-85

Sandra E. Kennedy
City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-07-85, on the 23rd day of July, 1985.

ATTEST: Sandra E. Kennedy, City Clerk
Mark E. GiaQuinta, Presiding Officer
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of July, 1985, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk
Approved and signed by me this 24th day of July, 1985, at the hour of 4:00 o'clock P.M., E.S.T.

Win Moses, Jr.
Mayor
I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-07-85, passed by the Common Council on the 23rd day of July, 1985, and that said Ordinance was duly signed and approved by the Mayor on the 24th day of July, 1985, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 24th day of July, 1985.
SANDRA E. KENNEDY, CITY CLERK

Fort Wayne Common Council

(Governmental Unit)

Allen

County, IN

To NEW-SENTINEL Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

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DATA FOR COMPUTING COST

Width of single column 12.5 picas	Size of type 6 point
Number of insertions 2	Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Drusilla Rose

Date Aug. 6 19 85

Title CLERK

FORM #903

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Rose who, being duly sworn, says that he/she is CLERK of the

NEWS-SENTINEL

DAILY

newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

state and county aforesaid, and that the printed matter attached hereto is a true copy, was duly published in said paper for two times, the dates of publication being

follows:

7/30 - 8/6/85

scribed and sworn to me before this 6th day of August 19 85

Anne M. Perkins

Notary Public

Commission expires November 29, 1985

BILL NO. X-85-07-12

REPORT OF THE COMMITTEE ON ANNEXATION

WE, YOUR COMMITTEE ON ANNEXATION TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) annexing certain territory commonly
known as the Hack/Stewart Area to the City of Fort Wayne, Indiana,
and including same in the Councilmanic District No. 3

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)
(~~RESOLUTION~~)

YES

NO

JANET G. BRADBURY
CHAIRWOMAN

THOMAS C. HENRY
VICE CHAIRMAN

SAMUEL J. TALARICO

PAUL M. BURNS

BEN A. EISBART

CONCURRED IN 7-23-85

SANDRA E. KENNEDY
CITY CLERK